



Stevens Memorial Library
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Summary of Stevens Memorial Library Board of Trustees
Meeting Minutes of November 12, 2013

Present: Paula Dowd, Margaret Donovan, Paula St. Laurent Kuehl, Debra Mercier, Mary Kate Romano, Joseph von Deck, and Cheryl Paul Bradley

Paula Dowd called the meeting to order at 4:00 P.M.

The minutes of the October 8th meeting minutes were read. Amendments to the minutes were made.

Joe made a motion to defer acceptance of the minutes until questionable sections be amended. Kate seconded the motion. All were in favor.

Paula Dowd stated that she would get together with Margaret to go over the minutes.

Paula Dowd requested that the Chairman report be moved to the end of the agenda.

No board member objected.

Cheryl went over her Directors report. (See attached)

Cheryl stated that the Library budget for FY14 was at 30% which was a little under where it should be.

Joe asked why spending was under budget.

Cheryl stated the Library had not purchased oil yet. Once the library purchased oil, spending would be on budget.

Joe reminded Cheryl that any money not spent would be lost.

Paula Kuehl asked if Cheryl had received a detail of FY13's budget yet.

Cheryl stated that she had not. She said that the Town Accountant was getting her a copy and that she would have it for the next meeting.

Cheryl asked Paula Kuehl if her husband had been able to get information on new computers.

Paula Kuehl stated that he had not yet, but hopefully by next meeting she would have some numbers.

Cheryl stated that she would like to purchase a new shredder for the Library; because, the current shredder was beyond repair. It would cost about \$800.00.

Paula Dowd stated that she had been informed by the Town Accountant that it was against the law for the Library to shred material.

Cheryl stated that the material that the Library shredded had patrons' personnel information on it. She sighted MA Law Chapter 93 I Section 2.

Paula Dowd stated that she would speak with the Town Accountant again to get more information. Until that time she asked that the Library not shred any more documents.

Cheryl stated that she had obtained and accepted a bid for \$1500.00 to repair the handicap ramp. It would be done when the temperature was going to be in the 50's for a few days. This way, the cement would have time to cure.

Paula Dowd stated that she wanted Cheryl to cancel the repair work and get two more bids for this repair. It was required by the Town's bylaw.

Cheryl stated that in the past she had been allowed to get verbal bids for repairs that cost \$1500.00 or under without three bids or Board/Town approval. She stated that it was in the bylaws and asked if this was a new policy. She stated that she had called two other masons. One had declined and the other had not returned her call.

Paula Dowd stated she wanted two more bids.

Joe stated that a decline is considered a bid.

Deb stated that she thought the Library could get two more competitive bids and gave Cheryl names.

Paula Dowd stated that she wanted two more working bids.

Cheryl stated that she felt this was unnecessary but would contact two more masons for bids.

Margaret stated that two of the Library museum passes were up for renewal: The Museum of Fine Arts and Tower Hill. Both passes were very popular with the patrons and she suggested that the Board approve renewal.

Cheryl stated that these passes had normally gone out several times every week. The Museum of Fine Arts gives patrons admission at half price and Tower Hill is free with the pass.

Joe stated that he would like to see statistics on the usage of both passes before a motion was made to renew.

Cheryl stated that she would have that information for the next meeting.

Margaret went over the magazine survey taken in the summer, stating the most popular ones to the Board.

Cheryl stated that she had always used Demco for magazines because it offered the cheapest bundle.

Deb stated that the Girl Scouts had magazine drives as well as the schools. Cheryl might want to contact the Girl Scouts to see what company they use.

Paula Dowd asked Cheryl to look into the magazines for the next meeting.

Cheryl stated that she had attended the MLAA, October 15th meeting. This meeting had discussed potential grants

for the Library. These grants would be awarded in the spring. Cheryl felt that the Library would receive the same amount of grant money it had received in the past.

Margaret stated that she had signed Cheryl's reimbursement form for this meeting. She did this so it could be submitted in the time frame of the new policy.

Paula Dowd stated that she wanted all travel reimbursements to be presented to the Board for approval and then signed by her.

Cheryl asked Paula Dowd if she had received a copy of the Piano Museums lease for the Stevens Building from Doug Briggs.

Paula Dowd stated that she had not and would contact Doug for a copy of the lease.

Cheryl stated that she had received a copy of the Town's Holiday Schedule after the Board had approved the Library Holiday Schedule. There were two differences. The Library would be open November 27th, closed December 24th, and open December 26th.

Paula Dowd asked if the Town would have an issue with the Library Schedule.

Cheryl stated that she didn't think they would, but wanted the Trustees to be aware of the difference.

Cheryl went over Library statistics for hours open, volunteer hours, and patron count. (See attached)

Cheryl stated that she was upset and shocked that at the televised October 21st Selectmen Meeting the Town Administrator announced the amount of her lawyer's fee. She stated that her August 22nd letter had been addressed to the Trustees and she had not requested that the town pay any legal fees. Therefore, the Town Administrator should not have known or mentioned this information. Also at the meeting, the Town Administrator spoke about her question regarding time not credited while on administrative leave; this question had been in a letter to the Selectmen written by the Trustees.

Paula Dowd stated that anything discussed at a Trustee meeting becomes public record. If Cheryl had not wanted her letter to become public, she should have requested an executive session.

Joe stated that if Cheryl were looking for reimbursement from the Town, they needed the information.

Margaret stated that the information given by the Town Administrator at the October 21st Selectmen meeting had been from a letter written to the Selectmen by the Trustees and it had not been presented in full context.

Joe stated that if a letter is given to the Town Hall for the Selectmen, it is opened and put in their mailbox.

Margaret stated that the letter to the Selectmen had been mailed and on the envelope she had marked "personal and confidential". She said that it was very upsetting to think that a letter mailed this way had been opened by someone else and never given to the Selectmen to read.

Paula Kuehl asked if the letter had been mailed and not given to the Selectmen.

Margaret stated that that was correct. She also stated that she had spoken to one of the Selectmen at the October 29th Town Meeting to verify this. The Selectman had stated that he had never seen the Trustees' letter and would like a

copy. He also stated that if something was addressed to the Selectmen he wanted to see it. He was going to bring this up when he went back into the auditorium. He had asked Margaret to send a copy of the letter to his home address.

Paula Kuehl stated that she was going to contact Selectmen Duncan Phyfe about this.

Deb asked if the Board had received a response on these questions.

Paula Dowd stated that she would be addressing the questions in her Chairman's report.

Paula Dowd stated that the Board had voted 2 years ago on benches for the Children's Room. They had never been purchased and she wanted them ordered.

Margaret stated that she had dropped the ball on this. She said that she had gone to Wood 'N Things back in October of 2011. She had spoken to Bob, the owner's son, about building benches for the Library. At that time, he had stated that if they would not be able to build them until the spring. Margaret had said that that was fine and that she would come back the following spring. She had reported this to the Trustees.

Margaret stated that she had forgotten about the benches due to a family illness and Cheryl being put on administrative leave. Now it was Wood 'N Things busy season.

Kate stated that they would have to wait until spring for the benches.

Paula Dowd stated that the Board would revisit the Children's Room in the spring.

Paula Dowd stated that she wanted Cheryl to clean her office.

Cheryl stated that she was working on her office. She had been spending several hours a week in there. She stated that it was looking neater and that she hoped to have it all organized soon.

Paula Dowd stated that she felt the Board should put a date as to when Cheryl's office should be finished.

Cheryl asked when the last time Paula Dowd had been in her office, because she had gone through a lot of material and books. She said that Noel had been a great asset getting a lot of filing done. She also thought that Paula would be able to see the progress.

Paula Dowd stated that she had heard back from Erb & Erb and Town Counsel in regard to Cheryl's request for payment of her lawyer's fee and credit for time earned.

Paula Dowd stated that in the letter from Erb & Erb, they did not feel that the Whittemore Charitable Trust could be used to pay the Director's legal fees. They stated that in Section Four, Paragraph 3, first clause part of the sentence reads only for the benefit of the Ashburnham Library. They continued to say that paying legal fees of the director does not benefit the Library. They referred the Board to contact the Attorney General's Office if the Board wanted to pursue the matter.

Paula Dowd also stated that, according to the letter, if the Board went ahead the Library could lose the trust.

Paula Dowd stated that she had written the Attorney General but it could take months to hear back.

Kate stated that they were not telling the Board not to use the Trust.

Paula Dowd stated that basically, Erb & Erb had told them that if they use it they will lose the Trust Fund.

Deb stated that that would hurt the Library.

Joe stated that it looked like a closed subject to him, unless the Board heard otherwise from the Attorney General.

Cheryl stated that she did not know how she could pay the lawyer's bill. She said that it was more than half her salary.

Kate stated that it might be best to table this until they heard from the Attorney General.

Kate made a motion to table the discussion. Deb seconded the motion. All were in favor.

Paula Dowd stated that she had received a letter back from Town Counsel in regards to questions one, two, and five of Cheryl's August 22nd letter to the Board of Trustees. She had been told by Doug Briggs to read the letter to the Board and that no copies of the letter should be made.

Joe stated that he did not understand why the other members of the Board were never able to have copies of letters from Town Counsel. He asked how they were to make an intelligent decision without being able to have the document in front of them.

Paula Dowd stated that she was told to read it. Because of attorney – client privilege, it was not to go outside the Board.

Paula Kuehl stated that the Board members were all the clients. She asked why the Town Administrator was allowed to see the letter but the Trustees were not.

Paula Dowd stated that if Paula Kuehl would like to contact Town Counsel she could; but, until she was told that she could give copies of the letter, she was going to read it.

Margaret stated that Town Counsel was putting Paula Dowd in a bad position.

Kate stated that it was not fair to Paula.

Deb stated that Paula Dowd should read the letter and then the board could address any questions.

Paula Kuehl asked which attorney the letter was from and the date of the letter.

Paula Dowd stated that the letter was dated October 10th and was from Attorney Moschos.

Paula Dowd read the letter to the Board.

After a lengthy discussion, it was clear that in order to comprehend Town Counsel's letter, members would need to have a copy.

Kate suggested that Paula Dowd contact Attorney Moschos and have him put in writing whether the Board members could have a copy of the letter and if not why. Otherwise it puts Paula in a bad place.

Deb made a motion to table the discussion until Paula Dowd got clarification from Town Counsel. Kate seconded

the motion. All were in favor.

Cheryl stated that she would be on vacation November 25th through November 29th. Paula Dowd had signed her leave request form.

The next Trustees meeting would be December 3rd.

Paula Kuehl made a motion to adjourn the meeting. Deb seconded the motion. All were in favor.

Meeting ended at 5:45 P.M.

These minutes were amended and accepted by the Library Board of Trustees on December 3, 2013.